

REMARKS

I. Status of Claims

Claims 1-5 and 9-26 are pending in the application.

Claims 1 and 14 are amended to recite that the concentration of the tin-doped indium oxide (ITO) fine particles is from 10 to 60% by weight, with support in the specification at, for example, Examples 1a to 1c, 2 to 4 and 10 to 12.

Claim 9 is amended to delete the concentration of tin-doped indium oxide fine particles.

No new matter is added, and the Amendment is being filed concurrently with a Request for Continued Examination (RCE). Accordingly, Applicants respectfully request entry and consideration of the Amendment.

II. Response to Claim Rejections Under 35 U.S.C. § 112, first paragraph

Claims 1-5 and 9-26 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Claims 1-5 and 9-26 comply with the written description requirement of § 112, first paragraph, at least for the following reasons.

Claims 1 and 14 recite “the content of the dispersion stabilizer is from 6 to 20.7% by weight” and “the concentration of the tin-doped indium oxide fine particles is from 10 to 60% by weight”. Support for the above limitations can be found, for example, at Examples 1a to 1c, 2 to 4, and 10 to 12 of the specification. Additionally, the recitation that the “content of the dispersion stabilizer is from 6 to 20.7% by weight” and “the concentration of the tin-doped indium oxide fine particles is more than 34.5% by weight” are supported by Examples 3 and 4 of

the specification. Moreover, the content of the dispersion stabilizer and the concentration of the tin-doped indium oxide fine particles are independent of each other.

In view of the above, claims 1 and 14 comply with the written description requirement of § 112, first paragraph. Claims 2-4, 9-13 and 15-26 also comply with § 112, first paragraph, at least by virtue of their dependence from claims 1 and 14.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the §112, first paragraph rejection of claims 1-5 and 9-26.

III. Response to Claim Rejection Under 35 U.S.C. § 103(a)

Claims 1-5 and 9-26 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kondo (U.S. Patent No. 6,329,061) in view of Kobata et al. (U.S. Patent No. 6,673,456) and Mont et al. (U.S. Patent No. 4,027,069).

Applicants respectfully traverse, at least for the following reasons.

The dispersion of tin-doped indium oxide fine particles of claims 1 and 14 has the following features:

- (1) the dispersion stabilizer includes a chelate, an organic acid, and a phosphate ester-based compound;
- (2) an organic solvent containing at least one alcohol is included as a main component;
- (3) the content of the dispersion stabilizer is from 6 to 20.7% by weight; and
- (4) the concentration of the tin-doped indium oxide fine particles is from 10 to 60% by weight.

When both the dispersion stabilizer, which contains a chelate, an organic acid and a phosphate ester-based compound, and the organic solvent, which contains at least one alcohol as a main component, are included in the presently claimed amount, i.e., features (1) to (4) discussed above are fulfilled, the ITO fine particles are dispersed uniformly without becoming agglomerated particles. As a result, solvent shock can be prevented. As shown in the Examples of the specification and the Rule 132 Declaration filed May 26, 2009, excellent values are obtained for all properties of the visible light transmittance (Tv), the solar radiation transmittance (Ts), the haze value, the reflection yellow index (reflection YI), and the Reflection measured value, which is significant.

In particular, the Examples of the specification and the previously filed Rule 132 Declaration demonstrate the critical importance of the range of 6 to 20.7% by weight with regard to the content of the dispersion stabilizer, i.e., the criticality of feature (3) discussed above.

In contrast, the following Reference Table shows the contents of components of Examples of Kobata which include the combination of chelate, organic acid, and phosphate ester-based compound. These results were also discussed in the Responses filed May 26, 2009 and January 13, 2010.

Reference Table

	Contents	
	(parts by weight)	(weight %)
Plasticizer	40	94.31 to 98.88
Tin-dope indium oxide (ITO) fine particles	0.05, 0.3, 1.2	0.12 to 4.72
Chelate	0.1	0.24 to 0.25
Carboxylic acid	0.1	0.24 to 0.25
Polyphosphate ester salt	No description regarding amount (Applicants assume the amount to be 0.5 weight %)	0.5

The content of the dispersion stabilizer disclosed in the Examples of Kobata is assumed to be in a range of 0.98 to 1.0%. Therefore, in the Examples of Kobata, the dispersion of the ITO fine particles which fulfills both features (1) and (3) of the present claims is not disclosed. Furthermore, in Kobata, there is no description or suggestion of the effect of obtaining excellent values in all of the visible light transmittance (Tv), the solar radiation transmittance (Ts), the haze value, the reflection yellow index (reflection YI), and the Reflection measured value, i.e., the criticality of feature (3).

Accordingly, a person skilled in the art would not be motivated to fulfill both features (1) and (3) based on the Kobata disclosure.

Kondo does not remedy the deficiencies of Kobata. Kondo discloses the use of alcohol. However, in Kondo, chemical compounds corresponding to the dispersion stabilizer of the present invention are not included. Mont does not cure the above discussed deficiencies in

Kobata or Kondo. Thus, there is no motivation to combine the inventions of Kobata, Kondo and Mont to arrive at the presently claimed invention.

In view of the above, claims 1 and 14 are patentable over the combination of Kobata, Kondo and Mont. Claims 2-5, 9-13 and 15-26 are also patentable, at least by virtue of their dependence from claims 1 and 14.

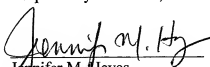
Accordingly, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 1-5 and 9-26.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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